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APR 29 2010

Mitchell Silberberg & Knupp LLP

5 Attorneys for Plaintiffs

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**  
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11 OMAR RODRIGUEZ; CINDY GUILLEN-  
GOMEZ; STEVE KARAGIOSIAN;  
12 ELFEGO RODRIGUEZ; AND JAMAL  
CHILDS,

13 Plaintiffs,

14 -vs-

15 BURBANK POLICE DEPARTMENT; CITY  
16 OF BURBANK; AND DOES 1 THROUGH  
100, INCLUSIVE.

17 Defendants.  
18

CASE NO.: BC 414 602

Complaint Filed: May 28, 2009

Assigned to: Hon. Joanne B. O'Donnell, Judge

**DECLARATION OF CHRISTOPHER LEE  
DUNN IN OPPOSITION TO MOTION FOR  
SUMMARY JUDGMENT AGAINST  
ELFEGO RODRIGUEZ**

DATE: May 12, 2010

TIME: 9:00 a.m.

PLACE: Dept. 37

Judge: Hon. Joanne O'Donnell

19 BURBANK POLICE DEPARTMENT; CITY OF  
20 BURBANK,

21 Cross-Complainants,

22 -vs-

23 OMAR RODRIGUEZ, and Individual,

24 Cross- Defendant

Trial Date: August 25, 2010

25 I, CHRISTOPHER LEE DUNN declare and say:

26 1. I served as a Burbank Police Department officer from 2000 to 2007. Prior to that, I was a  
27 police officer with the Los Angeles Police Department prior to transferring to the Burbank Police  
28 Department. While serving as a Burbank Police Department officer, I was assigned to several

1 specialized units. Between 2002 and 2004, I was a field training officer. Between 2004 and 2006,  
2 I served on the Special Enforcement Detail, also known as the "SED." And in 2004, I was assigned  
3 to the Special Response Team, also known as "SRT." I have personal knowledge of the facts  
4 asserted herein, and if called to testify, I would and could testify competently thereto.

5 2. SRT is the equivalent of the Burbank Police Department's SWAT unit. The special  
6 response team is a select group of individuals who are provided advanced training in hostage-type  
7 crisis scenarios and other duties as far as high risk, search warrants, amongst other things in order to  
8 support Patrol and the Department's mission.

9 3. The basic standard qualifications for a potential SRT member are that an officer be a  
10 team player, have an ability to learn, have a history of sound tactics, be physically fit and have the  
11 requisite marksmanship.

12 4. Previous qualifications like military service, prior law enforcement and other related  
13 training may be informally taken into consideration. However, it is the exception, and not the rule,  
14 to select SRT officers based on such previous experience or other related qualifications.


15 5. Prior to becoming a police officer, I was a Military Police Officer in the United States  
16 Army. I also served on a military SRT team as a MP Officer. Based upon my seven year career in  
17 the Burbank Police Department and assignment to SRT, I know it is not a preferential SRT  
18 qualification to be an "expert" marksman in the military. The title of "expert" marksman is, in itself,  
19 misleading. All branches of the United States military present the designation of "expert" or  
20 "distinguished marksman" titles to soldiers during basic training weapons qualification. Unless a  
21 soldier has an additional skill identifier, such as "sniper" or "designated marksman," he has not  
22 received specialized training other than what is standard to all military personnel. Based upon my  
23 seven year career in the Burbank Police Department and assignment to SRT, I know that the  
24 Burbank Police Department upper echelons are as aware of this information as I am.

25 6. Having worked for Sheriff's Department or having prior Sheriff's Department  
26 Emergency Response Team ("ERT") experience is also not a preferential SRT qualification. ERT  
27 training is only applicable to the jail environment. It is given to a majority of the jail officers and is  
28 not considered "specialized" training within the Sheriff's Department. In fact, during the selection

1 into the Sheriff Department's SEB ("SWAT") unit, such would not even be considered as a  
2 selection criteria beyond the normal jail experience or training. Based upon my ten year career in  
3 the Burbank Police Department and assignment to SRT, I know that the Burbank Police Department  
4 upper echelons are as aware of this information as I am.

5  
6 I declare under penalty of perjury under the laws of the State of California that the foregoing is true  
7 and correct.

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9 Executed this 20th day of April 2010 in Oxnard, California.

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12 Christopher Lee Dunn  
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